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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RITTO INVESTMENT FUND LLC 4 d/b/a
Rittvo Family Investments LLC 4; RITTO INVESTMENT FUND LLC 3 d/b/a Rittvo Family Investments LLC 3; RITTO FAMILY LLC 3 d/b/a Rittvo Family Investments LLC 3; GASTWIRTH FAMILY TRUST; and JASON M. GASTWIRTH, in his capacity as Trustee of Gastwirth Family Trust,

Case No. 2:23-cv-00240-APG-DJA

UNNOPOSED MOTION TO CONVERT IN-PERSON PRETRIAL CONFERENCE TO PRETRIAL CONFERENCE CONDUCTED VIA VIDEO PLATFORM

Plaintiffs,

vs.

POMP & WHIMSY, INC.; NICOLA NICE; TODD GALLOPO; NORI-ANN DE LA CRUZ; DOE INDIVIDUALS 1-20; and ROE BUSINESS ENTITIES 1-20, inclusive,

Defendants.

UNNOPOSED MOTION TO CONVERT IN-PERSON PRETRIAL CONFERENCE TO PRETRIAL CONFERENCE CONDUCTED VIA VIDEO CONFERENCE

Plaintiffs Rittvo Family Investments LLC 4, Rittvo Family Investments LLC 3, Gastwirth Family Trust, and Jason M. Gastwirth, in his capacity as Trustee of the Gastwirth Family Trust, (collectively “Plaintiffs”) moved for a Pretrial Conference to expedite the disposition of this case pursuant to Local Rule 16-2, and alternatively moved to expedite consideration of their Motion for Summary Judgment (Doc. 31). The Court granted Plaintiffs’ Motion and set an in-person Pretrial Conference on October 5, 2023 (Doc. 35).

To be clear, Plaintiffs wish to accommodate the preferences of the Court, and undersigned counsel is currently planning on traveling from New Orleans, LA to Las Vegas to attend the Pretrial Conference in-person. Plaintiffs file this motion to merely to check whether the Court actually prefers the conference to be in-person, or whether the Court is equally amenable to conducting the conference via Zoom or other videoconference platform. If there is no preference on the Court's end, undersigned counsel would like to save both parties' costs and attorney's fees associated with an in-person appearance.

While the Plaintiffs would initially incur the costs and attorney's fees for their counsel to attend the Pretrial Conference in Las Vegas, pursuant to the loan agreement at issue in this case, Plaintiffs would ultimately seek the recovery of those fees and costs from the Defendants. Converting the in-person Pretrial Conference to a Zoom Conference would therefore save all of the parties from incurring these fees and costs.

In sum, Plaintiffs' counsel plans to and will travel to Las Vegas to attend the Pretrial Conference in person. But in the event that the Court is amenable to conducting the conference by video, all parties in this case would also be amenable to go that route to save fees and costs. Undersigned counsel has conferred with counsel for Defendants and has been advised that the Defendants are also amenable to participate in the conference by video if allowed by the Court.

Respectfully submitted,

JONES WALKER LLP

/s/ Tarak Anada

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IT IS SO ORDERED: *Attorneys for Plaintiffs*

Dated: October 3, 2023

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